

Municipality both think that it is necessary that the definition of 'leper' should be amended so as to include cases where ulcer has not begun to set in. It has been thought necessary to amend the definition of the word 'leper' accordingly. This amendment follows exactly the British Indian law on the subject. This is the first amendment. The second amendment in the Bill is only a verbal one. As the Regulation stands, it is the Government that have to make provision for a Leper Asylum. The amendment makes it possible for Government to recognise private institutions if Government are satisfied that suitable arrangements have been made or will be made therein for the detention of pauper lepers. The third amendment that is proposed to be introduced in the Regulation is with a view to enable Government to empower persons other than Police officers to arrest pauper lepers. As the Regulation stands, only Police officers are empowered to arrest pauper lepers. In many cases, it is not possible for them to do so. Probably, they may not also be anxious to do so. The Municipal Councils which are responsible for the health of their Municipalities and the Sanitary Department which is responsible for the health of the rural areas will be very anxious to see that these pauper lepers are arrested and taken before a Magistrate in order that they may be confined in a Leper Asylum. It is therefore thought desirable that the Government should be empowered to invest persons other than Police officers with powers to arrest such lepers. Lastly, though there is the general provision in the Regulation empowering Government to prohibit by notification lepers from exercising any profession, it is thought desirable that, in the case of some specific professions such as those of the washerman, ironer, etc., who are lepers and who do service to the public, express provision should be made in the Regulation itself prohibiting them from exercising their callings. These are the few amendments sought to be introduced by the Bill and, as I have said, they are not at all of a controversial nature, and I hope that they will meet with the acceptance of the Council. With these words, I beg to move that the principle of the Bill be affirmed."

Seconded by Mr. Nidiry.

Carried.

President:—

"I presume that no member is anxious to say anything about this absolutely non-controversial measure, and it seems to me hardly necessary to refer it to a Select Committee. The Bill may be taken up for consideration at the next meeting of the Council."

Mr. Subba Aiyar moved that the Bill need not be referred to a Select Committee.

Seconded by Dr. Kunjan Pillai.

Carried.

• THE ANCHAL REGULATION AMENDMENT BILL.

Mr. Subba Aiyar:—

"SIR,

I beg to introduce a Bill to amend the Anchal Regulation, IX of 1089. The circumstances that led to the introduction of the Bill are these. The recent revision of salaries in the Anchal Department increased the expenditure of that Department, and it was felt that the expenditure of the Department should be met out of the receipts from that Department. Therefore, an emergency Regulation was passed by Government modifying the Schedule of Anchal rates to some extent. That Regulation will be in force only up to the end of Chingam 1097. The present Bill has therefore been introduced to amend the Schedule. The Bill empowers the Government to fix the rates of postage, registration fee, money orders, etc., below the maximum fixed in the Schedule. Though the Schedule fixes the maximum rates, it is not the object of Government that these rates should be brought into force immediately. It is only when a necessity arises that the rates will be raised by means of a notification up to the maxima fixed in the Schedule. This provision is necessary as it may not be feasible to bring an amending Bill before the Council on each occasion whenever the rates have to be increased to keep pace with the postal rates elsewhere. The members are aware of the delay that is incidental to the passing of a measure through the Council. The Bill has to be printed in advance and published a month before the meeting. Then it goes to a Select Committee and it has to be considered by that Committee and then by the Council. Again after an interval of time the Bill has to be finally passed. The practice in British India, where at the budget meeting such Bills are introduced, may be known to the members. There, the Bill is introduced and discussed and passed at the same session, and, before the session closes, the Bill becomes law. That is not possible here. Whenever a revision has to be effected in the rates, it will take roughly eight months to have it done. It is to avoid this delay that the present provision has been made. In Travancore itself we have the Post office and the Anchal office. The Council may know without any explanation from me that the Anchal rates are always less than the postal rates. There need therefore be no

"fear that the Anchal rates will be arbitrarily increased. The Government may be safely trusted to exercise the discretion in such a way that the rates do not cause any hardship to the public. With reference to the rates themselves, I may say that, on a comparison of them with the British postal rates, it will be found that the only rate that approximates that in British India is the price of cards. In other cases, the rates will be found considerably less than the postal rates. For instance, in the case of letters not exceeding one tola, the rate now is eight cash, and it is proposed to raise it to one chackram, whereas in British India the rate is one chackram and six cash, and in Cochin it is nearly one chackram. The same is the case in respect of other articles mentioned in the Schedule. I can assure the Council that the discretion vested in the Government will be properly exercised. With these words, I beg to move that the principle of the Bill be affirmed."

Mr. George :—

"SIR,

I beg to second the motion, and in doing so, I beg to say a few words. The mover has said that the reason which led the Government to increase the Anchal rates was the increased expenditure incurred in connection with the revision of pay in the Anchal Department. But it might be said that the revenue of the Department is already giving a surplus and that the revision might have been carried out without increasing the rates. This might also be supported by a casual examination of the budget figures. On the other hand, I should like to say that the accounts of the Anchal Department as given in the State budget do not exactly represent the actual amount that is spent on the Department. By examining the budget, one might see that the transactions of the Department ended in a surplus of Rs. 41,000 in 1094 and Rs. 55,000 in 1095. But these surpluses are not real surpluses. They do not take into account the expenditure incurred by Government in manufacturing stamps, covers and cards, the cost of stationery and the cost of printing. When these are taken into account, it will be found that, instead of a surplus, we are having a deficit on the Department. The deficit is not much, but still it shows that the increased expenditure cannot be met except by increased revenue. I may say that we are spending something like Rs. 60,000 a year for the purchase of envelopes and cartboards for the stationery required for the forms of the Department, and for printing, so much so that but for an adequate increase in the rates of postage, it might be difficult to meet the growing expenditure of the Department. With these words, I beg to support the principle of the Bill."

Mr. G. Parameswaran Pillai, in moving that the introduction of the Bill be postponed till the budget meeting of the Council, said :—

"SIR,

You may be aware that when the Anchal rates were recently revised under Regulation III of 1096, the measure did not meet with popular approval. The increase in the rates though not considerable was considered to be irritating and uncalled for. Now, the law member has been pleased to introduce a Bill under which the Government are authorised to increase the rates of postage, etc., to an extent which appears to be absolutely indefensible! I am not unaware of the concession made in the Statement of Objects and Reasons; viz., that the rates in the Schedule are not intended to be brought into force immediately and that they only indicate the maxima up to which the Government may have recourse to in "case of necessity". In other words there is almost a confession that there is no immediate necessity for introducing the high rates fixed in the Schedule. In that case, why should Government show this extraordinary anxiety to pass such a hurried legislation fixing the maxima to be worked up when necessity arises in future? Is it that Government feel it difficult to move the legislature to amend the Regulation from time to time or is it that Government may have to raise the rates in such quick succession that they cannot afford to wait for the legislature to intervene? In fact the law member says that there is difficulty in moving the legislature and that there will be loss of time. I suppose we ought not to take this very seriously. As matters stand at present, it may not be very difficult for the Government to introduce a Bill and have it passed in any manner they please. My friend, the mover of the Bill, is of opinion that unlike in British India it is inconvenient to introduce Finance Bills along with the budget, for the Bill may be passed then in one sitting which is not possible here. I have only one answer to make. Here too the law member anticipates that this Bill may be taken up for discussion even to-day after suspending the rules of business. A similar procedure may be adopted in case of emergency during the budget session, so much so that the difficulty pointed out by my friend is after all not substantial.

There is another strong reason why this Bill should be introduced only after the presentation of the Budget. The law member says that the reason for introducing this Bill consists in the fact that owing to the reorganisation of the Anchal Department the revision of pay has resulted in an increase in the cost of Anchal service and this has to be

met out of the funds from the Department. I might confess that when the recent revision of rates was announced, my own impression was that the enhancement was consequent upon the increase in the cost of Anchal service and I had reconciled myself to these increased rates. But when this was published for the consideration of the Council, I subjected the above statement to close scrutiny and found that the mover of the Bill had no case whatever. I expected that the law member would further enlighten me on this matter. Although he had nothing to say thereon, I must thank the Financial Secretary for the statement he has made just now. Still I am not convinced that after all he has made out a case, because the Financial Secretary himself when introducing the Budget for 1906 stated in his explanatory memorandum that he anticipated a large expenditure on account of the fact that the reorganisation of 1895 might take full effect only in 1906. He had actually provided Rs. 26,000 more than the revised estimates for 1895 for the purpose. So, the Government were not unaware of this reorganisation and the consequent increase in expenditure on that account. According to the Financial Secretary, the deficit was not appreciable and the budget figures do not really represent the actuals. I can understand that the budget may have been overestimated or underestimated. But I was under the impression that the financial statements published in the Government Gazette under the signature of the Chief Account Officer did represent the actuals. Even according to these statements the Government appear to have been deriving only a profit from the Department. I shall thank the Financial Secretary to further explain his position."

Mr. George:—

"Mr. Parameswaran Pillai referred to the reorganisation in the explanatory memorandum. The reorganisation referred to therein was a previous reorganisation. The recent reorganisation was not then contemplated at all. That reorganisation was in Meeanam 1896. The budget was framed in Edavam 1895. When I said that the accounts of the Anchal Department did not represent the actual expenditure of that Department, I meant only that the accounts of the Department as they had been published did not show the whole expenditure under the system of accounts we have now. The expenditure on stamps, printing, stationery, etc., on account of that Department is debited to various other major heads, such as the Stationery, Government Press, etc. The expenditure on account of stationery, etc., for the Department has also increased. In 1893 the expenditure was Rs. 30,875. In 1894 it was Rs. 53,350 and in 1895 the expenditure was Rs. 72,369. Thus the surpluses shown against the Department are only nominal."

Mr. G. Parameswaran Pillai:—

"We are not able to scrutinise the figures just given by the Financial Secretary or to see the bearing of those figures on the total receipts or the total expenditure. The Financial Secretary has provided only for the reorganisation which took place in 1895 and which was in force till Meeanam 1896. Subsequent to that, there appears to have been another reorganisation. At any rate we are entitled to know what the nature of that reorganisation was, whether that reorganisation was after all necessary and what exactly was the additional expenditure on that account and whether that could not have been met by other means. From the budget for 1906 and the financial statements published from month to month under the signature of the Chief Account Officer, it is found that the Financial Secretary anticipated an excess of Rs. 25,000 over the expenditure even after making provision for the increased expenditure on account of the reorganisation of the Department, and we find that till the end of Meevam 1896 Government had a profit of Rs. 25,561 from the Department. From that period the Department was working under the revised rates and the receipts must be larger. These matters can be satisfactorily dealt with only after the budget is introduced. The budget session is not far off, and we shall then be in a position to appreciate the difficulties of Government, if any. From the facts now supplied to us, the revision of the Schedule as proposed will be wholly unjustifiable, and to enable us to come to a more correct decision, I would move that the Bill be introduced after the budget for 1907 is introduced."

President:—

"The Financial Secretary will be able to give us the additional expenditure occasioned by the revision of the establishment. Of course, whether the revision was necessary is another matter."

Mr. G. Parameswaran Pillai:—

"It would be more advisable to have the Bill introduced after the budget discussion. Then we shall be in a position to know the exact financial position of Government."

Seconded by Mr. Adam Sait.

Mr. Narayana Iyappan:—

"I strongly support Mr. G. Parameswaran Pillai's proposition. When the papers were put into our hands all that we thought was that as the law member said in the Statement of Objects and Reasons more funds were necessary on account of revision of salaries

For the Department. Certainly a reference to the statement published in the Gazette, as the Financial Secretary told us, shows that that was not the fact. It required a rider from the Financial Secretary who has enlightened us on this point. It is natural then that as the Bill is now being put forward on grounds other than those that are stated in the Objects and Reasons. It is not fair that the matter is taken up for discussion after full particulars are given to us. My friend, the law member, said that in respect of all items except Anchal cards, the rates are lower than those in British India and puts forward that as the reason for accepting this measure. On the other hand, I think that that is the very reason why we would not accept it, because if at the increased rates in regard to Anchal cards that fall on the heads of the poor taxpayers I do not know if figures are available from the published statements as to the exact number of cards purchased and the amount of revenue under the head. However, I will take it, and I think it is reasonable, that cards are freely used and that they afford cheap means of communication to the people at large, leaving other people who can pay more to themselves. When my friend with a grain sense of humour said that we are increasing only the rates as regards the Anchal cards, I think that ought to be known on the head and that the old rate should be retained. Well, Sir, you have heard of late in the press and elsewhere that people object to fresh taxation, and I think that if this kind of proposals for taxation comes in, there will be substantial foundation for this charge, and I hope that better discrimination will prevail with the Government and that they will not expose themselves to adverse criticism on a large scale. I therefore propose that until those of us on this side are satisfied that there are real grounds for increasing the rates, that is until after the budget discussion, this matter may wait.

Mr. Nidrey:—

"The proposed amendment of the Anchal Regulation is evidently for raising the scheduled rates. It is stated that the increase of the pay to the staff recently sanctioned has resulted in an increase in the cost of the Anchal Service. But from the supplementary statement which we have had from the Financial Secretary we have been put to some difficulty as to the exact figures and the details concerning them which are absolutely necessary before going to the general principle of the Bill. That being the case, I am of opinion that the proper time for discussing the general principle of the Bill will be the budget meeting of the Council. If, on the other hand, the object is only to raise the general revenue of the State by getting a contribution from the Anchal Department, even then, I fail to see the necessity for introducing the Bill at present. It would have been better to place it before the Council along with the budget discussion especially in view of the expected report of the Salaries Committee. I think that all the finance Bills should be postponed till the report of the Salaries Committee is received."

Mr. Subrahmanya Pillai:—

"I agree with the previous speakers in thinking that the scheduled rates, especially those fixed for cards and letters are too high. The present postal rates are much lower. The rates now proposed to be fixed. I am of opinion that the present popularity of the Anchal Department is due to the cheap rates now prevailing. It is very doubtful whether substantial additions will result to the Anchal revenue if we raise the rates for cards and letters. The mover of the Bill in his Statement of Objects and Reasons points out that it is not intended to raise the rates to the maximum fixed in the schedule immediately. My objection is that the maximum itself is too high. I would suggest the fixing of the maximum at 50 per cent. below the postal rates. I do not find any reason why Government should be so very anxious to fix the maximum as high when they do not intend to adopt maximum in the near future. The Legislative Council will always be ready especially that under the proposed new scheme, to find funds for the Government, and the Government must safely rely upon them for finding funds in future. As for the introduction of the Bill, I am unable to agree with Mr. Parameswara Pillai in his proposal to postpone the introduction of the Bill to a future date. Mr. Subba Aiyar has pointed out that Regulation III of 1937 by which the present rates were fixed will lose its force by Kadam and I am afraid those who think that the rates lately fixed by the Government are not very high. Enforcement of the introduction of the Bill, I fear, will bring the Government to a difficult position, which I think it is surely to avoid. As for the argument that the income derived from the Anchal Department is even now, after the late revision, greater than the needs of the Department, it may be true, but I do not believe that the Government will be able to carry on the administration by making each Department self-supporting. If that policy is to be adopted, I do not know how Government will be able to run the Education and the Public Works Departments. I think the learned mover has failed to point out in his Objects and Reasons that the idea of Government is not simply to make the Anchal Department self-supporting, but to get if possible some additional revenue for the benefit of other spending Departments."

I support the principle of the Bill and am not in favour of postponing its introduction.

Mr. Kumaran Asan :—

"I support Mr. Subrahmanya Pillai's proposal."

Mr. G. Parameswaran Pillai's motion was put to the vote and lost.

Mr. G. Parameswaran Pillai then spoke on the principle of the Bill as follows :—

"Sir,

On principle, Sir, enhancement of postage rates constitutes a tax on culture and learning. With the growth of representative institutions it is highly essential that facilities should be freely given for a healthy public opinion. Newspapers and journals form the media for discussion of questions of public interest. The diffusion of knowledge and the formation of sound public opinion among the citizens will contribute to the well-being of the State as a whole more than serve the individual interests of the citizens themselves. Besides these, the man of business, the commercial man, will be considerably prejudiced. It ought to be the aim of Government to keep the postage rates at the lowest possible level. It is pointed out by the learned mover that the schedule of rates indicates only the maxima and there is no need for anxiety. But so far as this legislature is concerned, they have to be very careful in fixing the proposed high rates. As a matter of fact, the Schedule of rates embodied in the Regulation always indicates only the highest that Government can impose and the primary question for consideration will be whether the necessity has arisen for revising the Schedule as proposed. When once the maxima are fixed as they desire, the Government will be at liberty to impose the same at any time they please. In fact, the Government did issue a Notification in January last fixing rates which were above the Schedule rates under the then existing Regulation and it was subsequently that a Regulation was passed direct by His Highness the Maha Raja which validated the above-said Notification. So, we have to be very careful in fixing the proposed high rates. There is yet another aspect of the Bill that I should like to point out before I conclude. It has been said that the proposed rates are less than the British Indian rates. In the first place, even if this be so, it is no consolation to us in Travancore. The British Indian Government had their own reasons for increasing the postal rates. In matters relating to taxation it is always erroneous to compare Travancore with British India. The British Indian tax-payer stands on a different footing from the Travancorean. The enormous military expenditure, the costly foreign Civil Service and a host of other matters which do not exist in Travancore, account for the difference. The fact that the British Indian rates have been revised should not have influenced the Indian States to impose additional taxation even though the necessity for the same might not have arisen.

The statement that the proposed rates are less than the British Indian rates is not accurate. It is no matter for argument, but a simple question of arithmetic—and even the law member cannot explain away a mathematical error—that whereas four postal cards can be had for one anna we have to pay two chackrams under the revised rates. So too in the case of $\frac{1}{2}$ anna stamps and 1 chackram stamps. It must be well-known that the Anchal cards and the stamps of the lowest value find the greatest sale as the ordinary man of business stands in need of these more than stamps of higher value. When the prices of these cards and stamps are raised so as even to be higher than the corresponding British Indian rates, it is almost sure that the Anchal Department which has not even now much of efficiency to its credit will be completely starved. Naturally, the British Postal service will in course of time supersede the Anchal. This is not a result which any true Travancorean can view with perfect unconcern and this Legislature should not be party to any measure that will even indirectly lead to that result.

Let us see what the revised Cochin rates are. The Cochin Government have very recently issued a Notification stating that in consequence of the recent revision of Anchal and postal rates in Travancore and British India, their rates of postage will also be revised. But the rates for the card and letters below half a tola in weight are lower than even the existing revised rates in Travancore. What I would strongly urge is that on no account should there be any increase whatever in respect of the price of four cash cards and eight cash letter stamps, nor should there be any increase in the cost of posting registered newspapers and journals. No necessity has yet arisen to take up the general revision of rates. There has also been no sufficient opportunity for the public to express their view on the proposed measure. For these reasons, I would oppose the introduction of this Bill at present."

Mr. Adam Sait :—"I agree with Mr. Parameswaran Pillai in his remarks".

Mr. Subba Aiyar :—

"The additional cost of the revision which was effected in Meenam last is Rs. 56,329 per annum. I shall make a few remarks with reference to the observations of my friends. In the first place, it was suggested that with reference to letters of half a tola the rate fixed in the Schedule was higher than the British Indian rate. I beg to draw the attention of the members to the fact that the Indian Act itself does not recognise

half a tola at all. The rate fixed is for one tola to 2½ tolas. The limit of half a tola has been inserted by an executive order of Government. What is proposed to be done here is to fix the maximum rate up to one tola. I believe my friends know that it will be done in such a way as not to be injurious to the Government itself. Mr. Parameswaran Pillai apprehends that the Post office will supersede the Anchal office. That is a matter which the Government will look to. There need not be any fear or anxiety that the rates that will be fixed will be in any way higher than or equal to the British Indian rates. He asked: "Why not the whole thing connected with the Bill be done in one sitting of the Council?" We have only one sitting more this year. The Bill if considered by the Council at that meeting should be finally passed in another meeting in Tulam next by which time the Emergency Regulation will cease to have force. It was therefore that the Bill was introduced at this meeting. With reference to the observation of Mr. Subrahmanya Pillai that the discussion may be put off to the next meeting, I do certainly concede that my friends on the other side will be able to realise the situation of Government better if they sit on the Finance Committee and to know that it is not possible to make any satisfactory retrenchment and that the budget framed will be a deficit budget. My friends will then probably have no objection to pass the measure as it is. As I said at the outset, the reason for introducing the measure at this meeting is that the Emergency Regulation ceases to have force in Chingam 1097. That is why there is the motion opposite to my name for the suspension of the rules. But out of deference to the wishes of my friends I think that the Bill may be referred to a Select Committee to report before the next budget meeting. I believe that will satisfy the non-official members. I will not press the suspension of the rules to have the Bill passed now."

President:—

"I should like to say a word or two to remove the misapprehension of the members on this side of the House, who are naturally suspicious of Government and Government's intentions. They think that once the maximum rates are fixed, Government are going to give effect to those rates. I may assure the non-official members that that is not the intention of Government. The maximum rate for the Anchal card was slightly raised simply because it happened that, when the Bill was under consideration, the rate for the post card in British India was proposed to be put at six pies. The non-official members know that the British postal rates serve as an automatic check on the increase of anchal rates. However black the intentions of Government may be depicted, I do not think that Government would raise anchal rates to such a pitch as to commit financial suicide. Unless our rates are substantially lower than the British Indian or the Cochin rates, I do not know how we can make the Anchal Department work successfully. In fact, the intention of Government is that the rates recently promulgated should be adhered to for as long as time as possible. Of course, one or two inconveniences have been pointed out by the public in regard to the five-cash Anchal card. At any rate, if we are to remedy these inconveniences, the rate will have to be either raised or lowered slightly. Mr. Subba Aiyar made one statement which I think is not quite accurate. He thought that this Bill was being brought forward with a view to make the Department self-supporting. I do not subscribe to any such proposition. No Department can be self-supporting. Mr. Parameswaran Pillai made some observations criticizing the budget. I must admit that the method of budgetting is wrong not only in regard to this Department but is so in regard to many other Departments. If we begin to direct our criticisms towards the budget we shall find the same state of things elsewhere also. It is true that, as the Financial Secretary has pointed out, the incidence of expenditure in this Department is not represented in its true colours in our budget. As he said, the expenditure on account of stationery, etc., incurred for this Department has not been taken into account, and if these items are considered, the Department is working at a loss. But that is not the reason why the rates are proposed to be increased. The main reason is that we want to balance income and expenditure as a whole for the administration. This is the interest of the public as well. As the Bill is to be sent to a Select Committee, these aspects of the question may be threshed out there, and the Committee may propose any modifications if they think that the maxima are high."

Mr. Subba Aiyar's motion was carried.

Mr. Subba Aiyar then moved that the Bill be referred to a Select Committee consisting of Messrs. Raman Tampi, G. Parameswaran Pillai, George, Kunjan Pillai and the mover to report within one month.

Seconded by Mr. Anantanarayana Aiyar.

Carried.